

FORM PTO-1449 (modified)
 To: U.S. Department of Commerce
 (PW FORM PAT-1449)
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Atty.
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Client Ref.

0268461

JUN 19 2001
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**INFORMATION DISCLOSURE STATEMENT
 BY APPLICANT**

Date: June 7, 2001

Page 1 of 5

Technology Center 2600

JUN 28 2001

Applicant: WEBSTER

Appln. No.: 09/723,326

Filing Date: November 28, 2000

Examiner: Unknown *McKeehan* 16-36
 Group Art Unit: Unknown

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
TM	AR 5,681,706	10/1997	Anderson et al.			
	BR 5,882,914	03/1999	Semenza			
	CR 5,942,434	08/1999	Ratcliffe et al.			
	DR 6,218,179	04/2001	Webster et al.			
↓	ER 5,834,306	11/1998	Webster et al.			
FR						
GR						
HR						

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	Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclose	No
TM	IR WO 96/20276	07/1996	WIPO	Webster et al.				
↓	JR WO 99/05269	02/1999	WIPO	Hauser et al.				
	KR							
	LR							

OTHER (Including in this order: Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

TM	MR	Awad et al., "Negative Transcriptional Regulation Mediated by Thyroid Hormone Response Element 144 Requires Binding of the Multivalent Factor CTCF to a Novel Target DNA Sequence," <i>The Journal of Biological Chemistry</i> , Vol. 274, No. 38, September 17, 1999, pages 27092-27097		
	NR	Baniahmad et al., "t4/tc/AF-2 of the Thyroid Hormone Receptor Relieves Silencing of the Retinotic Acid Receptor Silencer Core Independent of Both t4 Activation Function and Full Dissociation of Corepressors," <i>Molecular and Cellular Biology</i> , Vol. 17, No. 8, August 1997, pages 4259-4271		
	OR	Barath et al., "Characterization of a Silencer Element and Purification of a Silencer Protein That Negatively Regulates the Human Adenine Nucleotide Translocator 2 Promoter," <i>The Journal of Biological Chemistry</i> , Vol. 274, No. 6, February 1999, pages 3378-3384		
	PR	Bessis et al., "The neuron-restrictive silencer element: A dual enhancer/silencer crucial for patterned expression of a nicotinic receptor gene in the brain," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 94, May 1997, pages 5906-5911		
	QR	Burcin et al., "Negative Protein 1, Which Is Required for Function of the Chicken Lysozyme Gene Silencer in Conjunction with Hormone Receptors, Is Identical to the Multivalent Zinc Finger Repressor CTCF," <i>Molecular and Cellular Biology</i> , Vol. 17, No. 3, March 1997, pages 1281-1288		
↓	RR	Burcin et al., "Adenovirus-mediated regulable target gene expression <i>in vivo</i> ," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 96, January 1999, pages 355-360		

Examiner *Jerome M. Selberg* Date Considered: 11/2/03

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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Appln. No.: 09/723,326

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Filing Date: November 28, 2000

Examiner: Unknown

Group Art Unit: Unknown

U.S. PATENT DOCUMENTS

McKolley

1636

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AR						
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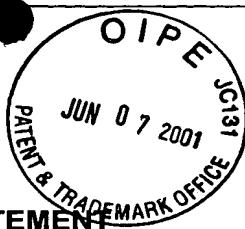
<i>TM</i>	KR	Cao et al., "A novel approach for inducing enhanced and selective transgene expression in hepatocellular-carcinoma cells," International Journal of Cancer, Volume 87, Issue 2, June 15, 2000, pages 247-252		
	LR	Edelman et al., "Synthetic promoter elements obtained by nucleotide sequence variation and selection for activity," PNAS, vol. 97, no. 7, March 28, 2000, pages 3038-3043		
	MR	Freundlieb et al., "A Tetracycline Controlled Activation/Repression System with Increased Potential for Gene Transfer into Mammalian Cells," The Journal of Gene Medicine, Vol. 1, 1999; pages 4-12		
	NR	Imagawa et al., "CTG Triplet Repeat in Mouse Growth Inhibitory Factor/Metallothionein III Gene Promoter Represses the Transcriptional Activity of the Heterologous Promoters," The Journal of Biological Chemistry, Vol. 270, No. 36, September 8, pages 20898-20900		
	OR	Jhaveri et al., "Contribution of proximal promoter elements to the regulation of basal and differential glutathione S-transferase P1 gene expression in human breast cancer cells," Biochimica et Biophysica Acta, 1998, pages 179-190		
	PR	Kallunki et al., "The neural restrictive silencer element can act as both a repressor and enhancer of L1 cell adhesion molecule gene expression during postnatal development," Proc. Natl. Acad. Sci. USA, Vol. 95, March 1988, Vol. 1396, pages 3233-3238		
<i>✓</i>	QR	Koenigsberger et al., "Differential regulation by multiple promoters of the gene encoding the neuron-restrictive silencer factor," PNAS, vol. 97, no. 5, February 29, 2000, pages 2291-2296		

Examiner *Terry Anne Golay*

Date Considered: *11/2/03*

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Examiner: Unknown		Group Art Unit: Unknown

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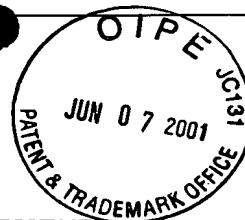
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					Enclosed	No	Enclose	No
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HR								
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JR								

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<i>Tan</i>	KR	Li et al., "Identification of a functional silencer element involved in neuron-specific expression of the synapsin I gene," Proc. Natl. Acad. Sci. USA, Vol. 90, February 1993, pages 1460-1464		
	LR	Malone et al., "Silencer elements controlling the B29 (IgB) promoter are neither promoter-nor cell-type-specific," Proc. Natl. Acad. Sci. USA, Vol. 94, November 1997, pages 12314-12319		
	MR	Malone et al., "An Upstream Oct-1 and Oct-2-Binding Silencer Governs B29 (IgB) Gene Expression ¹ ," The Journal of Immunology, Vol. 164, 2000, pages 2550-2556		
	NR	Millecamps et al., "Neuron-restrictive silencer elements mediate neuron specificity of adenoviral gene expression," Nature Biotechnology, Vol. 17, September 1999, pages 865-869		
	OR	Nabel, "Development of optimized vectors for gene therapy," Proc. Natl. Acad. Sci. USA, Vol. 96, January 1999, pages 324-326		
	PR	Nagasawa et al., "Oct-1, silencer sequence, and GC box regulate thyroid hormone receptor B1 promoter," Molecular and Cellular Endocrinology, Vol. 130, 1997, pages 153-165		
	QR	Naruse et al., "Neural restrictive silencer factor recruits mSin3 and histone deacetylase complex to repress neuron-specific target genes," PNAS, vol. 96, no. 24, November 23, 1999, pages 13691-13696		
<i>↓</i>	RR	Natesan et al., "A general strategy to enhance the potency of chimeric transcriptional activators," PNAS, Vol. 96, no. 24, November 23, 1999, pages 13898-13903		

Examiner <i>Tanya M. Kelley</i>	Date Considered: <i>6/2/03</i>
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Applicant: WEBSTER JUN 28 2001
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 Examiner: Unknown Group Art Unit: Unknown

U.S. PATENT DOCUMENTS

McKelvey

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SR						
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XR								
YR								
ZR								
AAR								

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<i>Type</i>	BBR	Nourbakhsh et al., "The Transcriptional Silencer Protein NRF: A Repressor of NF- κ B Enhancers," Immunobiol., vol. 198, 1997, pages 65-72		
	CCR	Nourbakhsh et al., "Constitutive silencing of IFN- β promoter is mediated by NRF (NF- κ B-repressing factor), a nuclear inhibitor of NF- κ B," The EMBO Journal, Vol. 18, No. 22, 1999, pages 6415-6425		
	DDR	Osada et al., "CCAAT/Enhancer-binding Proteins α and β Interact with the Silencer Element in the Promoter of Glutathione S-Transferase P Gene during Hepatocarcinogenesis," The Journal of Biological Chemistry, " Vol. 270, No. 52, December 29, 1995, pages 31288-31293		
	EER	Osada et al., "Nuclear Factor 1 Family Proteins Bind to the Silencer Element in the Rat Glutathione Transferase P Gene," J. Biochem, Vol. 121, 1997, pages 355-363		
	FFR	Osada et al., "Expression, DNA-binding specificity and transcriptional regulation of nuclear factor 1 family proteins from rat," Biochem. J., Vol. 342, 1999, pages 189-198		
	GGR	Pierce et al., "Silencing of the Expression of the Immunoglobulin Kappa Gene in Non-B Cells," Molecular and Cellular Biology, Vol. 11, March 1991, pages 1431-1437		
	HHR	Porter, "Controlling your losses: conditional gene silencing in mammals," TIG, Vol. 14, No. 2, February 1998, pages 73-79		
	IIR	Quinn, "Neuronal-Specific Gene Expression - The Interaction of Both Positive and Negative Transcriptional Regulators," Progress in Neurobiology, Vol. 50, 1996, pages 363-379		
<i>↓</i>	JJR	Saez et al., "Inducible gene expression in mammalian cells and transgenic mice," Current Opinion in Biotechnology, Vol. 8, 1997, pages 608-616		

Examiner *Berry & McGehee* Date Considered: *16/2/03*

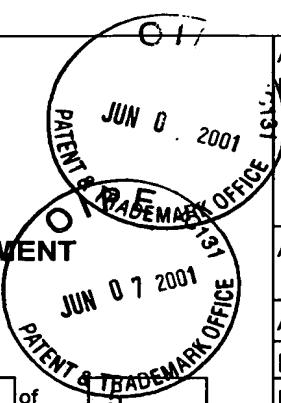
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YR								
ZR								
AAR								
BBR								

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<i>Tue</i>	CCR	Thrower et al., "Regulation of a Human Cytomegalovirus Immediate-Early Gene (US3) by a Silencer-Enhancer Combination," Journal of Virology, Vol. 70, No. 1, Jan. 1996, pages 91-100			
	DDR	Weber et al., "Identification of a Novel Repressive Element That Contributes to Neuron-Specific Gene Expression," The Journal of Neuroscience, Vol. 17, No. 20, October 15, 1992, pages 7583-7593			
	EER	Webster, "One-Step, Two-Step Regulation of Therapeutic Genes," The Scientist, Vol. 13, No. 9, April 26, 1999, page 13			
	FFR	Wolfe et al., "Binding of Nuclear Proteins to an Upstream Element Involved in Transcriptional Regulation of the Testis-Specific Histone H1t Gene," Journal of Cellular Biochemistry, Vol. 75, 1999, pages 555-565			
	GGR	Wolfe et al., "Localization of Upstream Elements Involved in Transcriptional Regulation of the Rat Testis-Specific Histone H1t Gene in Somatic Cells," Biology of Reproduction, Vol. 61, 1999, page 1005-1011			
<i>✓</i>	HHR	Ye et al., "Regulation of a Cell Type-specific Silencer in the Human Interleukin-3 Gene Promoter by the Transcription Factor YY1 and an AP2 Sequence-recognizing Factor," The Journal of Biological Chemistry, Vol. 274, No. 38, September 17, 1999, pages 26661-26667			
	IIR				
	JJR				
	KKR				

Examiner *Terry A. Myre Belue* Date Considered: *4/2/03*

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O LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)					APPLICANT Webster			
					FILING DATE November 28, 2000	GROUP 1645 1636		
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Twe	AA	5,763,217	6/9/98	Cynader et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY TECH CENTER 1600/2900	CLASS	SUBCLASS	TRANSLATION
Twe	AB	WO 97/13866	4/97	PCT			YES NO

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Twe	AC	Binley K, Iqball S, Kingsman A, Kingsman S, Naylor S. 1999. An adenoviral vector regulated by hypoxia for the treatment of ischaemic disease and cancer. Gene Ther. 6(10):1721-7.
	AD	Koshikawa N, Takenaga K, Tagawa M, Sakiyama S. 2000. Therapeutic efficacy of the suicide gene driven by the promoter of vascular endothelial growth factor gene against hypoxic tumor cells. Cancer Res. 60(11):2936-41
	AE	Modlich U, Pugh CW, Bicknell R. 2000. Increasing endothelial cell specific expression by the use of heterologous hypoxic and cytokine-inducible enhancers. Gene Ther. 7(10):896-902.
	AF	Salnikow K, Costa M, Figg WD, Blagosklonny MV. 2000. Hyperinducibility of hypoxia-responsive genes without p53/p21-dependent checkpoint in aggressive prostate cancer. Cancer Res. 60(20):5630-4.
	AG	Shibata T, Giaccia AJ, Brown JM. 2000. Development of a hypoxia-responsive vector for tumor-specific gene therapy. Gene Ther. 7(6):493-8.
↓	AH	Millicamps S, Kiefer H, Navarro V, Geoffroy MC, Robert JJ, Finiels F, Mallet J, Barkats M. 1999. Neuron-restrictive silencer elements mediate neuron specificity of adenoviral gene expression. Nat. Biotechnol. 17(9):865-9

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